

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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In re:	§	
	§	Chapter 11
	§	
Erie Kash Out Properties LLC,	§	Case No. 25-11729-AMC
	§	
Debtor.	§	<b>Related Docket No. 33</b>
	§	

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**MOTION FOR EXPEDITED CONSIDERATION OF MOTION OF THE  
UNITED STATES TRUSTEE TO DISMISS DEBTOR’S CASE  
OR CONVERT TO CHAPTER 7**

Andrew R. Vara, the United States Trustee for Region 3 (“U.S. Trustee”), by and through his undersigned counsel, hereby moves (this “Motion to Shorten”) for entry of an order, pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure and L.B.R. 5070-1, expediting consideration of the *Motion Of The United States Trustee To Dismiss Debtor’s Case Or Convert To Chapter 7* (Docket No. 33) (the “Motion”).<sup>1</sup> In support of this Motion to Shorten, the U.S. Trustee states as follows:

**BACKGROUND AND FACTS**

1. On May 2, 2025 (the “Petition Date”), Erie Kash Out Properties LLC (the “Debtor”) filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

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<sup>1</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

2. On May 14, 2025, an initial hearing was held in this case on the *Motion for Interim Order Authorizing Use of Cash Collateral* (Docket No. 10) (the “Cash Collateral Motion”).

3. A continued hearing on the Cash Collateral Motion occurred on May 21, 2025, after which the Court entered an order prohibiting the use of cash collateral and scheduling a further hearing on the Cash Collateral Motion for June 11, 2025 at 10:30 am (the “Cash Collateral Hearing”).

4. On May 30, 2025, the U.S. Trustee filed the Motion, pursuant to which the U.S. Trustee seeks entry of an order dismissing the Debtor’s case or converting the case to chapter 7 for a failure to maintain insurance.

### **RELIEF REQUESTED**

5. The U.S. Trustee seeks expedited consideration of the Motion pursuant to Rule 9006(c) of the Federal Rules of Bankruptcy Procedure and L.B.R. 5070-1.

6. Because estate assets may be at risk, the Motion must be resolved as expeditiously as possible. The U.S. Trustee therefore requests that the Motion be scheduled for the same date and time as the Cash Collateral Hearing.

7. Pursuant to Local Bankruptcy Rule 5070-1(g), the undersigned has communicated with the parties in interest, namely (i) proposed counsel for the Debtor, (ii) the Subchapter V Trustee, (iii) U.S. Bank Trust National Association, not in its individual capacity but solely as Trustee of Fidelity & Guaranty Life Mortgage Trust 2018-1, (iv) the City of Philadelphia, and (v) the United States

Attorney's Office for the Eastern District of Pennsylvania. None objected to the procedural relief requested through this Motion to Shorten.

8. Pursuant to L.B.R. 9014-2(a)(15), the Court may rule on this Motion to Shorten without the need for a hearing, and the U.S. Trustee requests that the Motion to Shorten be granted without further hearing.

### **CONCLUSION**

**WHEREFORE**, the U.S. Trustee respectfully requests that the Court enter an order granting the relief requested herein and grant such other and further relief as the Court deems just and proper.

Dated: June 2, 2025

Respectfully submitted,

**ANDREW R. VARA**  
**UNITED STATES TRUSTEE**  
**For Region 3**

By: /s/ John Schanne

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